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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 DARRYL DUANE CHANEY,

11 Plaintiff,

No. CIV S-05-0131 MCE DAD P

12 vs.

13 DR. STEEVER, et al.,

14 Defendants.

FINDINGS & RECOMMENDATIONS

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16 By order filed October 11, 2005, plaintiff's complaint was dismissed and thirty  
17 days leave to file an amended complaint was granted. The thirty day period has now expired, and  
18 plaintiff has not filed an amended complaint or otherwise responded to the court's order.

19 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed  
20 without prejudice. See Local Rule 11-110; Fed. R. Civ. P. 41(b).

21 These findings and recommendations are submitted to the United States District  
22 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty  
23 days after being served with these findings and recommendations, plaintiff may file written  
24 objections with the court. The document should be captioned "Objections to Magistrate Judge's  
25 Findings and Recommendations." Plaintiff is advised that failure to file objections within the

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1 specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951  
2 F.2d 1153 (9th Cir. 1991).

3 DATED: November 22, 2005.

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6 DALE A. DROZD  
7 UNITED STATES MAGISTRATE JUDGE

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